

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOSEPH L. NICKOLS,

Plaintiff,

v.

STEVE MANSFIELD, et al.,

Defendants.

CASE NO. C13-5942BHS-JRC

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation ("R&R") of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 56. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**; and
- (2) The Court dismisses this action with prejudice for failure to exhaust administrative remedies. The dismissal is with prejudice because Plaintiff cannot now raise his issues in the jail grievance system as his issues would be time barred.

Dated this 20th day October, 2014.



BENJAMIN H. SETTLE  
United States District Judge